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May 27, 2020

VIA ECF

Hon. Arlene R. Lindsay
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Volpe v. Ryder, et al., Docket No.: 19-cv-02236-JMA-ARL

Dear Judge Lindsay:

This office represents Defendants Patrick Ryder (“Ryder”), Russell Sacks (“Sacks”), Joseph Massaro (“Massaro”), and the County of Nassau (the “County”) (collectively referred to as the “Defendants”) in the above-referenced matter. We submit this letter in connection with Defendants’ letter motion for a protective order filed on May 22, 2020.

In their opposition to Defendants’ letter motion, Plaintiffs state that: “On March 13, 2020, ADA Heather Kalachman called Plaintiffs’ counsel (who also represented Volpe in the criminal investigation) to inform them that the DA’s investigation was complete and no criminal charges would be filed against Volpe.”

Contrary to Plaintiffs’ claim that Volpe is no longer the subject of an ongoing criminal investigation, we write to inform the Court that we have been advised, as recently as today, that there continues to be an ongoing criminal investigation of Volpe being conducted by the Nassau County District Attorney.

We thank the Court for its continued courtesies.

Respectfully submitted,

Aaron N. Solomon, Esq.
Monique M. Robotham, Esq.

cc: All parties via ECF